

For: County Offices

**2002 Emergency Haying and Grazing Questions and Answers**

Approved by: State Executive Director

**1 Overview****A****Purpose**

This notice provides some questions and answers to assist in administering the emergency haying and grazing provisions.

**2 County Office Action****A****Exhibit 1**

Counties shall utilize the questions and answers in Exhibit 1 to assist in administering the 2002 emergency haying and grazing provisions. The questions and answers shall be utilized in conjunction with those provided in OK Notice CRP-534, which address 2002 special emergency haying and grazing provisions. The questions and answers are a re-issuance of those utilized for the 2001 emergency haying and grazing with a few changes. Notices CRP-400, 404, 407, and OK Notice CRP-534 shall be referenced for specific procedure on emergency haying and grazing.

**Disposal Date:**

08-01-03

07-23-02

**Distribution:**

County Offices



**2002 Haying and Grazing Q/A's**

1. Provisions for haying state the uncut portion must be left in a contiguous block. What is the definition of a contiguous block?
  - R. The contiguous block must be a measurable area of the field. The block cannot be winding swathed patches going from patch to patch in a field or alternating strips.
2. What if a person wants to hay a portion of a field and graze the rest?
  - R. Haying provisions allow 50 percent of the eligible field to be hayed; therefore, whatever a person cuts for hay, an equal portion of the field must be left uncut. The remaining acreage may be grazed according to applicable grazing provisions.
3. A producer needs to cut hay on CRP for his cattle, but he does not have any haying equipment. Can the producer have a custom hay person hay the acreage on a share basis?
  - R. No. A custom hay person cannot hay the acreage on a share since they would ultimately need to sell the hay to recover cost. The hay cut for CRP emergency hay cannot be sold on the open market or used for barter. The eligible producer would have to pay in cash the custom hay person.
4. If I have only a few livestock but a large amount of CRP, and do not need to utilize the CRP, may I lease it to an eligible livestock producer in the county that needs to utilize the CRP?
  - R. Yes.
5. A producer was approved for grazing in FY 2001, but due to late approval, the producer's FY2001 annual rental payment was not reduced. If this same producer does haying or grazing in FY 2002, do I deduct 50 percent from their FY 2001 annual rental payment?
  - R. Yes, if it is the same acreage.
6. Grazing provisions state that I may graze all the eligible acreage at a 75 percent stocking rate or graze 75 percent of the acreage at a full stocking rate and leave 25 percent ungrazed. What would the payment reduction acreage be in each of these cases?
  - R. The number of acres used to calculate the payment reduction is the actual number of acres grazed.

**2002 Haying and Grazing Q/A's (Continued)**

7. CRP haying and grazing provisions require that the producer obtain a modified conservation plan to include the haying or grazing requirements. Handbook 2-CRP, subparagraph 211 B, states that conservation plan modifications must be signed and agreed to by:
- all signatories to the CRP-1
  - NRCS
  - Conservation District, if the modification involves technical aspects of the conservation plan.

Do we have to obtain the Conservation District's signature on the modified plan based on the above statement?

- R. The Conservation District signature is not required since technical aspects of the plan are not involved. All persons that signed the CRP-1 and NRCS must sign the plan modification for haying or grazing. All CRP-1 participants must sign since we are temporarily modifying the contract terms and all involved must agree.
8. When may a CRP contract participant begin to hay or graze CRP acreage?
- R. The acreage may be hayed or grazed, whichever the participant selects, upon (1) signing the DF-21, (2) identifying the acreage on the aerial photograph, (3) obtaining a modified conservation plan with all required signatures, (4) acquiring all participants' signatures on the "Terms and Conditions for Emergency Grazing (or Haying) of CRP Acreage for 2002," and (5) receiving an approval letter from the County Committee. All of these activities must be completed prior to haying or grazing CRP acreage. If the acreage, involved in this situation, is to be leased to another eligible producer in the county, the county would need to obtain a statement that the acreage could not be subleased (or hay sold if hayed), and receive notification of approval from the County Committee prior to haying or grazing.
9. How does ineligible acres affect what I may hay or graze?
- R. If a person has ineligible acres to hay or graze included in their total CRP acres, the ineligible acres must be subtracted from the total CRP acres to determine how many eligible acres a producer may utilize. For example, a CRP participant has 100 total CRP acres. The 100 acres includes 10 acres of ineligible practice CP8A, Grass Waterways. The producer would have 90 "eligible" acres. If the producer elected to hay the CRP acreage, only 45 acres could be hayed.
10. It appears that a 25 percent reduction is a lot to just graze through August 31, 2002. Will there be an extension to the August 31 date or a reduction in the 25 percent?
- R. Based on previous years, a producer should not anticipate that a rate lesser than the 25 percent will happen. Concerning grazing past August 31, 2001, counties should not speculate that this would happen. Counties should inform producers of the provisions the way they are today and make a decision based on this information. Many unpredictable factors would be included in the decision to extend the grazing period.

**2002 Haying and Grazing Q/A's (Continued)**

11. I am an eligible producer with cattle and need to hay my CRP. However, I do not have any haying equipment. My neighbor (an eligible producer) has haying equipment and is willing to hay my acreage if he can also lease some of my acreage to hay for his livestock operation. Can this be done?
- R. Yes. In this case each producer would need to complete applicable forms in the county office and provide the county office the lease arrangement.
12. Same situations as in question 11 except the producers have a share arrangement whereby the person with the haying equipment gets 50% of the crop. Can this be done?
- R. No. The hay cannot be used to barter for services. The producers would need to proceed on terms stated in question 11.